

Mayor Ernie Wentreck  
Mayor Pro Tem Paul Madison

Councilmembers  
Russell Bradley  
Mark Conlee  
Ben Hardeman  
Joe Marín  
Boyd Sheffield

## **AGENDA**

**BRYAN CITY COUNCIL  
REGULAR MEETING  
TUESDAY, NOVEMBER 23, 2004 – 4:30 P.M.  
COUNCIL CHAMBERS, BRYAN MUNICIPAL BUILDING  
300 SOUTH TEXAS AVENUE, BRYAN, TEXAS**

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- 1. CALL TO ORDER (Room 305)**
- 2. EXECUTIVE SESSION** - The City Council has determined a necessity to go into a closed to the public session under the provisions of Section 551, Texas Government Code, and the following topics may be discussed: under the authority of Section 551.071, consultation with attorney - seek advice of legal counsel regarding the performance of contractual obligations for the Traditions project and pending litigation related thereto, and seek advice of legal counsel regarding requirements for citizen initiated petitions under the Bryan City Charter; and under the authority of Section 551.074, personnel matters – discuss appointment of individuals to the Board of Adjustment and Appeals, Board of Sign Control and Appeals, Building and Standards Commission, Civil Service Commission, Commissioners of Housing Authority, Historic Landmark Commission, Planning and Zoning Commission, and Zoning Board of Adjustments.
- 3. OPEN SESSION FOR ACTION FOLLOWING EXECUTIVE SESSION, IF NECESSARY (COUNCIL CHAMBERS)**
- 4. INVOCATION (Approximately 6:00 p.m. – Reverend Gary Bagely, St. Paul's United Methodist Church) AND PLEDGE OF ALLEGIANCE**
- 5. HEAR CITIZENS**
- 6. PROCLAMATIONS AND PRESENTATIONS**
  - Presentation of Brazos Boot – College Station Mayor Ron Silvia
  - Recognition of the Friends of the Library
  - Presentation of Purchasing Services Award

## **7. REZONING REQUEST (RZ 01-05)**

### **a. Public Hearing – [Rezoning Request \(RZ 01-05\)](#) – Lindsey Guindi**

Receive public comment regarding a request to amend the Comprehensive Zoning Ordinance No. 756, as amended, of the City of Bryan, Texas, by approving a ‘PD-M’ Planned Development – Mixed Use with an amended development plan for approximately 789.57 acres for Traditions Golf Course, located south of West Villa Maria Road, west of Westwood Main and north of the College Station city limits, out of the J. H. Jones Survey, Abstract 26 and the T.J. Wooten Survey, Abstract 59, Bryan, Brazos County, Texas.

### **b. First Reading of an Ordinance – [Rezoning Request \(RZ 01-05\)](#) – Lindsey Guindi**

First reading of an ordinance of the City of Bryan, Texas, amending the Comprehensive Zoning Ordinance No. 756, as amended, of the City of Bryan, Texas, by approving a ‘PD-M’ Planned Development – Mixed Use with an amended development plan for approximately 789.57 acres for Traditions Golf Course, located south of West Villa Maria Road, west of Westwood Main and north of the College Station city limits, out of the J. H. Jones Survey, Abstract 26 and the T.J. Wooten Survey, Abstract 59, Bryan, Brazos County, Texas.

## **8. COMPREHENSIVE ZONING TEXT AMENDMENT**

### **a. Public Hearing – [Comprehensive Zoning Text Amendment – Essential Municipal Uses and Municipal Service Districts](#) – Beth Wilson**

Receive public comment regarding a request to amend the Comprehensive Zoning Ordinance No. 756, as amended, of the City of Bryan, Texas, by providing for Essential Municipal Uses and Municipal Service Districts, providing for definitions for Essential Municipal Uses, Municipal Service Districts, Police Stations and Police Sub-stations; providing for a penalty; providing for publication; and providing an effective date.

### **b. First Reading of an Ordinance – [Comprehensive Zoning Text Amendment – Essential Municipal Uses and Municipal Service Districts](#) – Beth Wilson**

First reading of an ordinance of the City of Bryan, Texas, amending the Comprehensive Zoning Ordinance No. 756, as amended, of the City of Bryan, Texas, by providing for Essential Municipal Uses and Municipal Service Districts, providing for definitions for Essential Municipal Uses, Municipal Service Districts, Police Stations and Police Sub-stations; providing for a penalty; providing for publication; and providing an effective date.

## **9. CONSENT (AUTOMATIC APPROVAL) AGENDA**

This agenda consists of ministerial or “housekeeping” items required by law. Items may be removed from the consent agenda by majority vote of the Council.

### **a. Approval of [Minutes](#) – Special Meeting of November 5, 2004, and Workshop and Regular Meetings of November 9, 2004.**

**b. Consideration – [Library System Upgrade and Annual Software Maintenance](#) – Clara Mounce**

Consider approving an agreement with Dynix Corporation of Provo, Utah, in the amount of \$84,031 for the upgrade of an existing automated system for the Bryan/College Station Public Library System and annual software maintenance expense beginning on the second year of ownership in the amount of \$10,377. Source of Funds: Library Restricted Gifts Fund.

**c. Consideration – [Sole Source Purchases for Solid Waste Trucks](#) – Mark Hollas**

Consider approving sole source annual purchases of Original Equipment Manufacturer (OEM) for Heil and Petersen solid waste truck loader parts to Heil of Texas, in an amount not to exceed \$80,000. Source of Funds: Various City Departments. ([Letter](#))

**d. Consideration – [Employee Group Long Term Disability Insurance and Group Life Insurance](#) – Cindy Kirk**

Consider award of proposal to Standard Insurance in an estimated annual amount of \$128,706 for employee group long term disability insurance and group life insurance for Plan Year 2005 with an option to renew for four additional one-year terms. Source of Funds: Plan Year 2005 approved budget, divided among funds and departments. ([Proposal Comparison](#))

**e. Consideration – [Dell Marketing Computer Equipment Contract](#) – Tony Gonzalez**

Consider approving a one-year contract with Dell Marketing L.P., in the estimated amount of \$128,000 for desktop/notebook computers and related peripherals through the State of Texas Department of Information Resources (DIR) contract. Source of Funds: Various City Department Funds. ([Master Price Agreement with Participating Addendum for the State of Texas](#))

**f. Resolution – [Brazos Valley Solid Waste Management Agency Rate Change](#) – Kelly Wellman**

Adoption of a resolution of the City Council of the City of Bryan, Texas, establishing charges for disposal services provided by the Brazos Valley Solid Waste Management Agency's Rock Prairie Road Landfill. ([Redlined Resolution](#))

**g. Second and Final Reading of an Ordinance – [Rezoning Request \(RZ 04-13\)](#) – Beth Wilson**

Second and final reading of an ordinance amending Comprehensive Zoning Ordinance No. 756, as amended, of the City of Bryan, Texas, changing the zoning classification of 'MU-2' Mixed Use to 'R' Retail for approximately 0.44 acres located at the southwest corner of the intersection of San Jacinto and Martin Luther King roads, in the Bryan's Third Addition, Bryan, Brazos County, Texas.

**10. STATUTORY AGENDA**

This agenda consists of items previously approved by Council action, such as adoption of items that are part of an approved budget or capital improvements project, first readings of ordinances, or action which is required by law or delegated to the City Manager. Items may be removed from the statutory agenda at the request of two Councilmembers.

**a. Consideration – [Bryan Business Council, Inc., Fiscal Year 2005 Funding](#) – Kathy Davidson**

Consider approving a contract with the Bryan Business Council, Inc., identifying the contractual obligations of the City of Bryan and Bryan Business Council, Inc., and to provide funding for Fiscal Year 2005 in the amount of \$110,000. Source of Funds: General Fund.

**b. Consideration – [Still Creek Phase I, Wastewater Improvements Project](#) – Linda Huff**

Consider award of contract to Dudley Construction in an amount not to exceed \$1,233,660.96 for the Still Creek Phase I, Wastewater Improvements project, subject to submittal of required bonds and insurance. Source of Funds: 2004 Sewer Revenue Bond Funds.

**c. Consideration – [2004 Westside Water and Wastewater Expansion Project](#) – Linda Huff**

Consider award of contract to Young Contractors, Inc., in an amount not to exceed \$2,171,075.50 for the 2004 Westside Water and Wastewater Expansion Project, subject to submittal of required bonds and insurance. Source of Funds: \$1,686,870.50 – 2004 Certificates of Obligation, Fund 563 (Water), and \$484,205 – 2004 Certificates of Obligation, Fund 564 (Sewer).

**d. Consideration – [Change Order Number One for the 2004 Street Maintenance, Phase 1 and 2 Contract](#) – Linda Huff**

Consider approving change order number one with Young Contractors in an amount not to exceed \$488,528.50 for the 2004 Street Maintenance, Phase 1 and 2 contract. This change order will increase the original contract amount of \$2,211,389.50 by 22.09 percent, which will make the new contract a not to exceed amount of \$2,699,918. Source of Funds: Transportation Fee.

**e. Consideration – [Change Order Number One for Annual Concrete Contract](#) – Linda Huff**

Consider approving change order number one with Young Contractors in an amount not to exceed \$97,500 for the 2004-2005 annual concrete contract. This change order will increase the original contract amount of \$563,750 by 17.29 percent, which will make the new contract a not to exceed amount of \$661,250. Source of Funds: Transportation Fee.

**f. Resolution – [Amendments to the Thoroughfare Plan](#) – Beth Wilson**

Adoption of a resolution of the City Council adopting the City of Bryan's recommendation and plan as described in the document titled: Thoroughfare Plan Amendment – Eastside.

**11. REGULAR AGENDA**

This portion of the agenda consists of items requiring individual consideration by the Council.

**a. Consideration – [Plaza License Agreement](#) – David Storrie**

Consider approving the Plaza License Agreement between the City of Bryan and Bryan Commerce and Development, Inc., dba The LaSalle Hotel. This agreement will allow Bryan Commerce and Development, Inc., and/or its agent, currently Lane Hotels, Inc., to properly manage and maintain the LaSalle Hotel plaza and will permit them to coordinate, plan and market outdoor events for the plaza.

**b. Consideration – Change Order Number Two to Contract 5A, North and South Spine Roads with Utilities – John Blackburn**

Consider approving change order number two with Dudley Construction, Ltd., in the deduct amount of \$932.03 for the Traditions Contract 5A, North and South Spine Roads with Utilities project. ([Change Order](#))

**c. Consideration – Adoption of Operational Protocols – Mary Lynne Stratta**

Consider approval of Council and Council appointee operational protocols as discussed during the special Council meeting held on November 5, 2004.

**d. Consideration – Appointments to Advisory Boards – Mary Lynne Stratta**

Consider the appointment of individuals to various City Council appointed advisory boards and committees, such as the Bryan Cemeteries Advisory Board, Bryan-College Station Public Library System Board, Community Development Advisory Committee, Community Development Downtown Loan Committee, Coulter Airfield Advisory Committee, Joint Relief Funding Review Committee, Parks and Recreation Advisory Board, Youth Services Advisory Board, Bryan Business Council Board and Animal Shelter Non-profit Board of Directors.

**e. Resolution – Depository Contract – Kathy Davidson**

Adoption of a resolution of the City Council of the City of Bryan, Texas, designating a depository for the City of Bryan for the period of December 1, 2004, through September 30, 2007, and authorizing execution of a depository agreement.

**12. COUNCIL COMMITTEE REPORTS**

Intergovernmental Committee – Councilmember Bradley

Health Board – Councilmember Bradley

Finance Audit Committee – Councilmember Conlee

**13. CITY MANAGER'S REPORT AND COUNCIL CONCERNS**

Staff recognition, upcoming meetings and events, reports on attendance at meetings and events, future Council agenda items.

**14. ADJOURN**

FOR INFORMATION ON SIGN LANGUAGE INTERPRETATION, TDD OR OTHER TRANSLATION OR ACCESSIBILITY INFORMATION, PLEASE CONTACT THE PUBLIC INFORMATION OFFICER AT 209-5120. PLEASE TRY TO CONTACT THE ABOVE PERSON AT LEAST 48 HOURS BEFORE THE SCHEDULED TIME OF THE MEETING SO THAT YOUR REQUEST MAY BE ACCOMMODATED.